

MAR 06 2015

SENATE CONCURRENT RESOLUTION

PETITIONING CONGRESS FOR A LIMITED AMENDMENTS CONVENTION TO
RESTORE FREE AND FAIR ELECTIONS BY OVERTURNING THE DECISION
OF THE UNITED STATES SUPREME COURT IN *CITIZENS UNITED V.*
FEDERAL ELECTION COMMISSION, 558 U.S. 310 (2010) AND
RELATED CASES.

1 WHEREAS, the first President of the United States, George
2 Washington, stated, "[t]he basis of our political systems is the
3 right of the people to make and to alter their Constitutions of
4 Government"; and

5
6 WHEREAS, it was the intention of the framers of the
7 Constitution of the United States of America as stated in James
8 Madison's *Federalist Papers* that the Congress of the United
9 States of America should be "dependent on the people alone"; and

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11 WHEREAS, that dependency has evolved from a dependency on
12 the people alone to a dependency on those who spend excessively
13 in elections, through campaigns or third-party groups; and

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15 WHEREAS, the United States Supreme Court ruling in *Citizens*
16 *United v. Federal Election Commission*, 558 U.S. 310 (2010)
17 removed restrictions on amounts of independent political
18 spending; and

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20 WHEREAS, the removal of those restrictions has resulted in
21 the unjust influence of powerful economic forces, which have
22 supplanted the will of the people by undermining the people's
23 ability to choose their political leadership, write their own
24 laws, and determine the fate of their state; and

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26 WHEREAS, Article V of the United States Constitution
27 requires the United States Congress to call a convention upon
28 application of two-thirds of the legislatures of the several
29 states for the purpose of proposing amendments to the United
30 States Constitution; and



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2 WHEREAS, this body sees the need for a convention to
3 propose amendments to address concerns such as those raised by
4 the decision of the United States Supreme Court in *Citizens*
5 *United v. Federal Election Commission*, related cases, and
6 events, including those occurring long before or afterward, or
7 for a substantially similar purpose, and desires that said
8 convention should be so limited; now, therefore,
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10 BE IT RESOLVED by the Senate of the Twenty-eighth
11 Legislature of the State of Hawaii, Regular Session of 2015, the
12 House of Representatives concurring, that pursuant to Article V
13 of the United States Constitution, the United States Congress is
14 petitioned to call a convention for the purpose of proposing
15 amendments to the Constitution of the United States of America
16 to address concerns raised by the decision of the United States
17 Supreme Court in *Citizens United v. Federal Election Commission*,
18 558 U.S. 310 (2010) and related cases and events; and
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20 BE IT FURTHER RESOLVED that this be a continuing
21 application considered together with applications calling for a
22 convention passed in the 2013-2014 Vermont legislature as R454,
23 the 2013-2014 California legislature as Resolution Chapter 77,
24 the 2013-2014 Illinois legislature as Senate Joint Resolution
25 No. 42, and all other past, pending, and future applications
26 until at least two-thirds of the several states have applied for
27 a Convention and said Convention is convened by Congress; and
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29 BE IT FURTHER RESOLVED that the delegates to said
30 convention be comprised equally from individuals currently
31 elected to state and local office or individuals elected as
32 delegates from each Congressional district; provided that all
33 individuals elected or appointed to federal office, now or in
34 the past, be prohibited from serving as delegates to the
35 Convention, and for the Convention to retain the ability to
36 restrict or expand the power of its delegates within the limits
37 expressed above; and
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39 BE IT FURTHER RESOLVED that certified copies of this
40 Concurrent Resolution be transmitted to the President and Vice
41 President of the United States, the Speaker of the United States
42 House of Representatives, the Minority Leader of the United



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1 States House of Representatives, the President Pro Tempore of
2 the United States Senate, and Hawaii's congressional delegation.
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